

**AN ORDINANCE  
BY: THE ZONING COMMITTEE**

**02-0 -1798**

**AN ORDINANCE TO AMEND THE 1982 ZONING  
ORDINANCE OF THE CITY OF ATLANTA, AS  
AMENDED, BY DELETING IN ITS ENTIRETY  
SECTIONS 16-20A.001 THROUGH 16-20A.008(4)  
AND ENACTING A NEW 16-20A.001 THROUGH 16-  
20A. 008; AND FOR OTHER PURPOSES.**

**BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF  
ATLANTA, as follows:**

SECTION 1: THAT Sections 16-20A.001 through 16-20A.008 of the Zoning Ordinance of the City of Atlanta, as amended, are hereby deleted and the following new Sections 16-20.001 through 16-20.008 are enacted in lieu thereof, as follows:

**Sec. 16-20A.001.**

**Statement of Intent.**

- 1) To preserve the environmental and physical appearance of the area, including industrial, commercial and residential buildings, created from the late 19th century to the mid 20th century; including existing spatial relationships between buildings and streets; and to ensure that any new development is compatible with existing historic architectural and spatial characteristics that prevail.
- 2) To preserve the unique historical relationship between commercial and residential uses, and to ensure that ensuing development reflects and maintains this unique relationship as it evolved in the late 19th century and early 20th century.
- 3) To ensure that additions, alterations, renovations, and new construction observe the characteristics of each subarea of the district and maintain a continuing harmony with the historic character of the entire district; regulations shall be provided and a compatibility rule established. (Code 1977, § 16-20A.001)
- 4) To continue and encourage residential uses in the district.
- 5) To preserve the existing landscape and topographical features that exhibit or will assist in maintaining significant historic elements of the village.

- 6) To enhance changes to principal facades and protect the historic appearance of the Cabbagetown mill village development.
- 7) To encourage compatible economic development and neighborhood revitalization.
- 8) To prevent the displacement of residents and to encourage affordable housing.
- 9) To preserve and enhance the important aesthetic appearance of the district.
- 10) To substantially promote the public health, safety, and welfare.
- 11) To promote, encourage, and enhance the interaction of residents in the district with applicants seeking review and approval as directed by these regulations.

**Sec. 16-20A.002.**

**Organization.**

The regulations are composed of two (2) parts. The first part includes those general regulations that apply to the entire Cabbagetown Landmark District. The second part includes those specific regulations that are unique to each subarea. The Cabbagetown Landmark District is divided into five (5) subareas as follows:

- 1) The Mill.
- 2) Mill housing.
- 3) Shotgun and cottage housing.
- 4) Neighborhood commercial/services.
- 5) Transitional commercial/industrial area.

(Code 1977, § 16-20A.002)

**Sec. 16-20A.003.**

**General Regulations.**

The following regulations shall apply to the entire Cabbagetown Landmark District, which includes all five (5) subareas. Any proposed development shall require a Certificate of Appropriateness from the Atlanta Urban Design Commission (AUDC) and shall conform to the following regulations:

- 1) Regulations shall be minimum standards that must be followed and shall be applied by the AUDC. The power to hear, grant, or deny variances from these regulations shall rest with the AUDC. The AUDC shall require that additional materials, as determined to be necessary for the review of an application, be submitted with the application, in addition to other application material requirements found in the Zoning Ordinance, to ensure the purposes of these regulations are met. Examples of these materials are, but not limited to, a site plan showing all improvements, photographs of

adjoining properties, and elevation drawings of the predominant block characteristics. Upon a determination by AUDC that an application for renovation, alteration, addition, or new construction is at broad variance with the intent of these regulations and/or guidelines, the AUDC shall institute procedures for public notification and public hearing as are specified similarly for the Board of Zoning Adjustment (section 16-26.001). Notification shall include any governmental or nonprofit institutions that have legitimate interest in the historic integrity of this Landmark District.

- 2) A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- 3) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
- 4) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
- 5) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
- 6) Craftsmanship that characterizes a property shall be preserved.
- 7) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
- 8) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
- 9) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
- 10) Additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- 11) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

- 12) Exterior architectural details, such as brackets, decorative trim, corner boards, windows moldings, railings, columns, steps, and doors, which contribute to the character of the buildings and appear on the front facade, shall be retained, restored, or replaced to match the original in dimension and design and shall be included in all new construction subject to the review of the AUDC.

*The Compatibility Rule.*

In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, and general character of the entire district, of each subarea, and of the immediately adjacent environment of a particular block. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) must match that which predominates on that block or, where quantifiable (i.e., buildings height and width, floor height, lot dimensions, etc.), the average of all contributing structures of like use in that block by no more than ten (10) percent and no less than ten (10) percent." Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."

*AUDC Guidelines.*

The Atlanta Urban Design Commission shall adopt and maintain guidelines that shall extend the intent of these regulations, further define elements of architectural style and applicability and shall further ensure the compatibility of future development in the Cabbagetown Landmark District.

*Cabbagetown Design Guidelines.*

The Design Guidelines for Cabbagetown Mill Village provide important additional detailed information regarding the construction and renovation of historic buildings in the Cabbagetown Landmark District. In addition to specific standards listed herein, the Design Guidelines shall be a part of the regulations for the Cabbagetown Landmark District and shall be used as a guide in determining compatible developments for the neighborhood.

*Secretary's guideline.:*

In addition to specific standards listed herein, the General and Specific Standards for Historic Preservation Projects, as put forth by the U.S. Secretary of the Interior for all properties listed on the National Register, shall be a part of the regulations for the Cabbagetown Landmark District.

*Nonconforming uses.*

All regulations contained herein are to be applied to permitted uses in each subarea only. Any alteration or addition to nonconforming uses, as well as nonresidential uses in subarea 3, is subject to design review by the AUDC.

*Variance on economic hardship.*

The regulations contained herein set a minimum standard of architectural compatibility with the rest of the district. However, in order to comply with other equally important objectives in the Cabbagetown Landmark District of economic development, neighborhood revitalization, and prevention of displacement of residents, every effort will be made to allow reasonable variance from the regulations on grounds of economic hardship to the property owner. The burden of proof that the regulations and guidelines pose such a hardship shall be on the property owner.

*Multiple lots.*

Several lots combined for the purpose of a single project in keeping with the permitted uses as described for each subarea shall be permitted so long as the project maintains the intent and spirit of the regulations for new construction in each subarea. Such intent and spirit shall be determined through design review by the AUDC and must conform to all compatibility rules for the subarea.

*Lot divisions.*

The division of lots is subject to administrative approval provided for in the subdivision regulations of the City of Atlanta and must conform to all compatibility rules for the subarea.

*Off-street parking.*

- 1) Off-street parking shall not be permitted in the front yard of a lot used for residential purposes.
- 2) Off-street parking shall be permitted in the rear or side yard of a lot used for residential purposes.
- 3) Carports or garages shall be permitted if detached from and located to the rear of the main structure. If the structure is located on a corner lot, the front yard setback for that side street shall apply to the construction of a carport or garage. The design of carports and garages must be reviewed and approved by the AUDC.
- 4) Off-street parking shall not be permitted on vacant lots, except that one (1) adjacent lot owned by the resident occupant may be used to park up to two (2) owners' vehicles in operable condition provided such parking does not fall within the established front, side, or rear yard setbacks.
- 5) Off-site parking, grouped or other, may be permitted through a Certificate of Appropriateness in Section 16-20.005(4)(b) and must include landscape buffering.
- 6) All new construction, excluding modifications to existing structures or accessory structures, must include off-street parking. Variances may be allowed from this requirement subject to the standard procedures and requirements for a variance found in these regulations.

*Demolition or removal of existing buildings.*

- 1) All buildings in the district shall be subject to the provisions for demolition or removal of existing structures as defined in section 16-20.007 of the zoning ordinance.

- 2) It shall be allowable to move a structure to another site within the historic district if the new setting for the building is compatible with the surrounding uses and the historic building styles in that subarea. The site plan for a new location is subject to review by the AUDC.

*Alterations or additions to existing buildings* (for subareas 1, 3, 4, and 5 as defined on attached map; see specific regulations for subarea 2).

- 1) The height of any alteration or addition shall not exceed existing or previous height of existing building, unless dictated by building code.
- 2) Regulation shall be the same as for new construction in same subarea.
- 3) Regulations pertaining to fencing and walls shall be provided in each specific subarea.

*Building facades.*

- 1) Siding repair or replacement shall be replaced in kind regarding scale, material, direction, and reveal. Wood clapboard, if original, is preferred; however, smooth-surface cementitious siding and Masonite are permitted. Unless otherwise noted, clapboard siding must have no less than a four-inch reveal and no more than a six-inch reveal. Brick, stone, stucco, and concrete block are permitted only if they match original materials.
- 2) Replacement windows and exterior doors shall match the original opening subject to the compatibility rule.
- 3) Replacement window and door trim and other trim pieces shall match original width dimensions subject to the compatibility rule.
- 4) Windows shall be fixed glass, double-hung wood sash, or the same as the original.
- 5) Exterior doors visible from any public right of way shall be panel or single-pane fixed glass and shall be composed of no more than 50 percent glass or the same as the original.
- 6) If desired, shutters must be appropriately sized to cover the window and wood construction, louvered, and operable. Windows that have never had shutters shall remain without shutters.

*Elements.*

- 1) Replacement roofs shall match original in pitch and shape as well as ridge, dormer, overhang, and soffit construction. The shape and pitch of new roofs are subject to the compatibility rule. Fiberglass roofs are not appropriate and may not be used.
- 2) Skylights and solar panels may not be used on the front façade of any structure. "Bubble" type skylights are not permitted anywhere in the Cabbagetown Landmark District. The placement and design of flat profile skylights and/or solar panels should minimize their ability to be seen from public right of way(s), and is subject to design review by the AUDC.
- 3) Exposed rafter tails are typical in some parts of the mill village; the use of exposed rafter tails must match the trim style that predominates on the block.

- 4) Where chimneys are included in new construction, they shall be faced in brick. Existing chimneys shall not be removed if at all possible. Removal of any chimney must be reviewed and approved by the AUDC. If extending the height of chimneys is required, then bricks and mortar color shall be matched to the original as closely as possible. The design of any new chimney, replacement chimney, or chimney extension must be reviewed and approved by the AUDC.
- 5) Soffits and dormers shall be repaired or replaced in the style of the original. Open soffits shall not be closed. Closed soffits shall be repaired with materials matching the original.
- 6) Flat-roofed buildings or buildings not visible from any public right of way shall be allowed to use any roof covering that conforms to standard architectural specifications.

#### *Porches.*

- 1) Front porches shall contain balustrades, columns, and other characteristics, including floor dimension, height, roof pitch, and overhang, consistent with historic features for porches in that block.
- 2) Existing front porches shall be repaired rather than demolished, if possible. Any front porch that is demolished must be replaced.
- 3) Replacement front porches shall be constructed with the same floor dimension, height, roof pitch, and overhang as the original.
- 4) Replacement of rotted columns of existing porches shall closely resemble the original. For new construction, column size is subject to the compatibility rule. Decorative metal or plastic columns are not permitted.
- 5) Porches may not be enclosed as a room, but may be enclosed with recessed screen wire if the main characteristics of the porch are maintained.
- 6) All plans for repair or replacement of front porches shall be subject to design review by the AUDC.
- 7) Existing decorative trim on existing porches shall remain, even if parts are missing, except where permitted by design review by the AUDC.
- 8) Front porch steps shall be repaired or replaced to match the original. Steps may be of wood, brick, or concrete (except as noted in subarea 2). Metal steps are not permitted.

#### *Sidewalks and Curbs.*

- 1) The compatibility rule shall apply to sidewalks.
- 2) Existing sidewalk and curbing location, dimensions, and materials shall be retained where possible.
- 3) The sidewalk shall be the same width as the sidewalk on abutting properties or it shall be the width required by law, whichever is greater. If no sidewalk exists in the block, the new sidewalk shall not be less than six-feet wide.
- 4) All new sidewalks, or repairs of existing sidewalks, shall use brick. Brick is the historically compatible sidewalk paving material that predominates in the Cabbagetown Landmark District.

- 5) Curbing shall retain historic materials if possible, and shall not be constructed using poured concrete.

*Accessory Structures and Uses.*

- 1) Accessory structures that are customarily incidental and subordinate to permitted principal uses and structures, such as carriage houses, tool sheds, and greenhouses, are allowed.
- 2) Such structures shall be located to the side or rear of the principal structure within the buildable area of the lot and shall not project beyond the front of the principal structure.
- 3) Accessory structures shall be located in the least visible location within permissible areas. Screening with appropriate plant or fence materials is required if said structure is visible from the public right of way.

*Grading and Landscaping.*

- 1) Grading shall not excessively or unnecessarily alter the natural topography of the site, with the exception of grading necessary to protect and preserve the structural integrity of a structure.
- 2) New grades shall meet existing topography in a smooth transition.
- 3) Where appropriate, a landscape plan may be required by the AUDC. AUDC approval of an application may be conditioned on the implementation of a landscape plan to mitigate the environmental and visual impacts of construction on adjoining properties. Plant materials should be native species. The AUDC may require that plant materials be compatible with the existing landscaping on the immediate block if appropriate..

(Code 1977, § 16-20A.003)

**Sec. 16-20A.004.**

**Subarea 1 – The Mill**

In addition to the general regulations required in section 16-20A.003, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the Mill subarea. The regulations are intended to preserve the environmental character and physical appearance of the Mill subarea and encourage reuse of the existing structures for mixed use where feasible and to assure that any other use that may be permitted for preservation purposes is compatible with the historic character of the district as a whole.

*Permitted principal uses and structures.*

A building or premises shall be used only for the following principal purposes; and any new development, conversion of existing structure to uses permitted within the Mill subarea, or renovation or proposed change of the exterior facade of any existing Mill structure shall require the granting of a Certificate of Appropriateness by the Atlanta Urban Design Commission prior to the issuance of a building permit.



- 1) Banks, savings and loan associations, and similar financial institutions.
- 2) Business service establishments, including those providing duplicating, printing, maintenance, communications, addressing, mailing, bookkeeping, or guard services.
- 3) Clubs, lodges, and union halls.
- 4) Eating and drinking establishments, including catering establishments, delicatessens, bakeries. Drive-in and drive-thru restaurants are not permitted.
- 5) No wholesaling or jobbing shall be conducted from within this subarea. No use or manner of operation shall be permitted that is obnoxious or offensive by reason of odor, smoke, noise, glare, fumes, gas, vibration, unusual danger of fire or explosion, emission of particulate matter, interference with radio, television, or wireless data reception, or for other reasons incompatible with the character of this subarea and its relation to adjoining residential subareas.
- 6) Offices, clinics, laboratories, studios.
- 7) Professional and personal service establishments.
- 8) Recreational establishments.
- 9) Single-family, two-family, and multifamily residential uses. Residential use of Mill structures shall require a Certificate of Appropriateness, which shall be granted upon determination that such usage is compatible with the overall utilization of the Mill and maintains the integrity of the Mill as a support for the surrounding community.

*Permitted accessory uses and structures.*

Devices for the generation of energy such as solar panels are permitted. Such accessory structures must be designed and placed to minimize their ability to be viewed from public right of way(s). The design and placement of accessory structures is subject to review by the AUDC.

*Development controls.*

- 1) All alterations shall follow the Secretary of Interior's guidelines for rehabilitation and shall match the original as closely as possible.
- 2) New construction shall be of red brick exterior in keeping with the scale and character of 19th-century mill construction.
- 3) The height of any new construction shall be limited to the highest point of the existing complex, excluding chimneys.

(Code 1977, § 16-20A.004)

**Sec. 16-20A.005.**

**Subarea 2 – Mill Housing.**

In addition to the general regulations required in section 16-20A.003, the following regulations shall apply to any new development in subarea 2. These regulations are intended to preserve the typical 19th-century mill housing character of this subarea and to encourage the continued use of the existing structures for compatible multifamily use.

The preservation and rehabilitation of residential use in this subarea is considered of key importance due to its high visibility; therefore, it is intended that the regulations be more strictly adhered to than regulations within other subareas.

*Permitted principal uses and structures.*

- 1) A building or premises shall be used only for the following principal purposes, and any new development or renovation or proposed change of the exterior facade of any existing structures visible from the public street shall require the granting of a Certificate of Appropriateness by the Atlanta Urban Design Commission prior to the issuance of a building permit:
  - a) Single-family, two-family, and multifamily dwellings of the mill housing quadruplex type now existing in the subarea or as shall be constructed in the future to be compatible with existing structures as is provided for in this subarea of the Cabbagetown Landmark District regulations.
  - b) Parks, playgrounds, and community buildings owned and operated by a government agency or neighborhood organization.

*Permitted accessory uses and structures.*

Uses and structures that are customarily incidental and subordinate to permitted principal uses and structures are allowable. These include but are not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this part:

- 1) Greenhouses, garden sheds, and similar structures.
- 2) Devices for the generation of energy, such as solar panels.
- 3) Such structures shall be unattached, located to the rear of the principal structure and not within any required side or rear yard setback and not visible from the public right of way.
- 4) Satellite dishes may not be visible from the public right of way.
- 5) Home occupations.

*Special permits.*

The following uses are permissible only by special permit of the kind indicated, subject to limitations and requirements set forth herein or elsewhere in this part:

- 1) *Special administrative permits:* Zero-lot-line subdivision of lots upon which mill housing exists on the effective date of this amendment pursuant to section 16-28.001(6)(c) [16-28.011(6)(c)]

*Minimum lot requirements.*

The compatibility rule applies to lot size and all setbacks in this subarea. All new construction is subject to design review by the AUDC.

*Maximum building height and width.*

The height of any alteration or addition shall not exceed existing or previous height of existing building or roofline.

*Parking requirements.*

Grouped off-street parking shall be permitted upon approval of parking plan by the AUDC.

*Fences and walls.*

No closure walls shall be permitted in this subarea.

*Facades.*

- 1) Siding repair or replacement shall match the original materials. All existing trim shall be repaired or replaced if necessary with lumber matching original dimensions.
- 2) Replacement windows and exterior doors shall match the original opening subject to the compatibility rule.
- 3) Replacement window and door trim and other trim pieces shall match original width dimensions.
- 4) Windows shall be double-hung wood sash or the same as the original.
- 5) Exterior doors shall be the same as the original.
- 6) In all new construction, all clapboard siding reveal shall have a consistent width of four inches.

*Roofs.*

- 1) New roofs shall match original in pitch and shape as well as ridge, dormer, overhang, and soffit construction.
- 2) New roofing shall be asphalt shingles or modified bitumen membrane.
- 3) Chimneys must be included in new construction of principal structures, and they shall be faced in brick. Existing chimneys shall not be removed if at all possible, and must be replaced like to like. Removal of any chimney must be reviewed and approved by the AUDC. If extending the height of chimneys is required, then bricks and mortar color shall be matched to the original as closely as possible. The design of any new chimney, replacement chimney, or chimney extension must be reviewed and approved by the AUDC.
- 4) Soffits shall be repaired or replaced in the style of the original. Open soffits shall not be closed. Closed soffits must be repaired with materials matching the original.
- 5) Dormers are not permitted in this subarea.

*Porches.*

- 1) Existing front porches shall be repaired rather than demolished if at all possible. Any demolished porch must be replaced and shall be subject to the compatibility rule.
- 2) New front porches shall be constructed with the same floor dimension, height, roof pitch and overhang as the original.
- 3) Replacement of rotted columns of existing porches shall closely resemble the original. For new construction, column size is subject to the compatibility rule. Decorative metal or plastic columns are not permitted.
- 4) Existing decorative trim on existing porches shall remain even if parts are missing, except where permitted through design review by the AUDC.

- 5) Front porch steps shall be repaired or replaced to match the original wood steps. Steps in other locations may be of wood, brick, or cast in place concrete. Metal steps are not permitted.

(Code 1977, § 16-20A.005; Ord. No. 1997-64, § 1, 11-10-97)

#### **Sec. 16-20A.006.**

### **Subarea 3 – Shotgun and Cottage Housing.**

#### *Shotgun Housing.*

Shotgun housing is a style typified by simple structures whose width is no more than that of one (1) room extending from the front to rear of the structure. This housing type is usually closely spaced and is found most often along Savannah Street and Berean Avenue within this subarea. In addition to the general regulations required in section 16-20A.003, the following regulations shall apply to any new development. The following regulations are intended to preserve the turn-of-the-century housing character of this subarea and to encourage the continued use of the existing structures for single-family residential use compatible with the overall character of the district as a whole:

#### *Permitted principal uses and structures.*

A building or premises shall be used only for the following principal purposes. Any new development or renovation or proposed change of the exterior facade of any existing structures visible from the public street shall require the granting of a Certificate of Appropriateness by the Atlanta Urban Design Commission prior to the issuance of a building permit:

- 1) Single-family detached dwellings.
- 2) Parks, playgrounds, and community buildings owned and operated by a government agency or community organization.

#### *Permitted accessory uses and structures.*

Uses and structures that are customarily incidental and subordinate to permitted principal uses and structures are allowable. These include but are not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this part:

- 1) Greenhouses, garden sheds, private garages, and similar accessory structures.
- 2) Devices for the generation of energy, such as solar panels, when not visible from the public right of way(s).
- 3) Such accessory structures shall be unattached and located to the rear of the principal structure and not within any required side or rear yard setback.
- 4) Home occupations.
- 5) Satellite dishes may not be visible from the public right of way.
- 6) Swimming pools and similar active recreation facilities are permitted subject to the following limitations:
  - a) Such active recreation facilities in any yard, required or other, adjacent to a street shall require a special exception from the Atlanta Urban Design Commission, which special exception shall be granted only upon finding that:

- i) The location will not be objectionable to occupants of neighboring property, or the neighborhood in general, by reason of noise, lights, or concentrations of persons or vehicular traffic, and the applicant shall contact the adjoining neighbors about the special exception and provide written letters to the AUDC from the adjoining neighbors regarding the propriety of the special exception.
- ii) The area for such activity could not reasonably be located elsewhere on the lot.
- iii) The Atlanta Urban Design Commission may condition any special exception for such facilities based on concerns regarding fencing, screening, or other buffering, existence and/or location of lighting, hours of use, and such other matters as are reasonably required to ameliorate any potential negative impacts of the proposed facility on adjoining property owners.

**Minimum lot requirements.**

- 1) The compatibility rule shall apply to all front, rear, and side yard setbacks.
- 2) A sidewalk setback is required on all sides of a yard bordering a street.

***Maximum building height and width.***

The compatibility rule shall apply with variance of up to 10 percent permitted.

***Fencing and walls.***

- 1) Fencing in front of a structure is subject to design review by the AUDC.
- 2) Front yard closure walls, such as in block, brick, or wood, are not permitted.
- 3) Fencing shall be no more than 50 percent solids in yards facing a street.
- 4) Fencing and fencing/retaining walls in combination shall be no taller than four (4) feet in the front and corner yards and no taller than six (6) feet in the rear and side yards.
- 5) Variances for the height of fencing may be granted by the AUDC based on previously existing walls or lot topography.
- 6) Fencing must include buffering.

***Driveways.***

Total surface paving for driveways shall not be allowed. If poured cement is desired, it shall be used only as ribbons.

***Building facades.***

- 1) All new buildings shall conform to general facade characteristics by having sidewalks, front yard, porch, and front doors facing and parallel to street.
- 2) The general facade organization and proportions shall be subject to the compatibility rule and compatible with subarea 3 housing on the block as illustrated in the Cabbagetown Design Guidelines.

*Floor area ratio.*

The floor area ratio on any lot shall not exceed 0.50.

*Elements:*

- 1) All building elements must be compatible with subarea 3 housing on the block as illustrated in the Cabbagetown Design Guidelines.
- 2) Windows shall be predominantly vertical in proportion, and shall not be constructed in combination of more than two (2) units and shall meet the compatibility rule in organization and fenestration patterns.
- 3) Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass or the same as the original.
- 4) Where chimneys are included in new construction, they shall be faced in brick. Existing chimneys shall not be removed if at all possible. Removal of any chimney must be reviewed and approved by the AUDC. If extending the height of chimneys is required, then bricks and mortar color shall be matched to the original as closely as possible. The design of any new chimney, replacement chimney, or chimney extension must be reviewed and approved by the AUDC.
- 5) Skylights and solar panels may not be placed on the front façade of any structure. "Bubble" type skylights are not permitted on any structure. The placement of flat profile skylights and solar panels on other facades should minimize their ability to be seen from the front view, and is subject to design review by the AUDC.
- 6) Trim style, rafter tails, and soffits shall be consistent with the predominant style found on that block.
- 7) Siding shall exhibit a horizontal, clapboard profile. Wood, Masonite, and smooth-surface cementitious siding are acceptable materials. All siding must have no less than a four-inch reveal and no more than a six-inch reveal.
- 8) The compatibility rule shall apply to corner boards, fascia boards, bottom boards, window and door trim, and other like trim.

*Roofs.*

- 1) The compatibility rule shall apply to roof form.
- 2) The compatibility rule shall apply to roof pitch but shall not be less than 6:12 in any case.
- 3) Roofing materials shall be asphalt shingles or metal.
- 4) Flat roofs or roofs not visible from any public right of way may use any roof covering that conforms to standard architectural specification.
- 5) Wood shingles or slates are not permitted except through design review by the AUDC.
- 6) Cold-rolled roofing shall not be used except as a temporary cover upon approval by the AUDC.

*Dormers.*

Dormers are not permitted on shotgun houses.

*Porches.*

- 1) Front porches shall be required, and the compatibility rule shall apply. Design of front porches shall be subject to design review by the AUDC.
- 2) The compatibility rule shall apply to all porch design and materials. Front porches may be enclosed with recessed screen wire if the main characteristics of a front porch are maintained.
- 3) Porches shall contain balustrades, columns, and other features consistent with porches in that block. For new construction, column size is subject to the compatibility rule
- 4) Porches and decks shall be permitted on the side and rear of the house if not visible from the street.

*Foundations.*

- 1) The compatibility rule shall apply to the required height of first floor above street level. Foundations shall be a minimum of fourteen (14) inches and a maximum of four (4) feet with variances permitted for topography.
- 2) Foundations shall be of continuous concrete, smooth finish stucco, all-brick façade, or brick piers closed with infill walls made of continuous concrete or smooth finish stucco.

**Sec. 16-20A.006.**

**Subarea 3 – Shotgun and Cottage Housing.**

*Cottage Housing.*

Cottage housing is a mixed housing style that includes duplexes, bungalows, and other residential structures, modest in scale, that are characterized by common setbacks, repetitive porch and facade features, and consistent building massing. In addition to the general regulations required in section 16-20A.003, the following regulations shall apply to any new development. The following regulations are intended to preserve the typical 19<sup>th</sup>-century mixed residential character and to encourage the continued use of the existing structures for compatible residential use with the overall character of the district as a whole.

*Permitted principal uses and structures.*

A building or premises shall be used only for the following principal purposes, and any new development or renovation or proposed change of the exterior facade of any existing structures visible from the public street shall require the granting of a Certificate of Appropriateness by the Atlanta Urban Design Commission prior to the issuance of a building permit:

- 1) Single-family detached dwellings.
- 2) Two-family dwellings.
- 3) Parks, playgrounds, and community buildings when owned by a governmental agency or community organization.

*Permitted accessory uses and structures.*

Uses and structures that are customarily incidental and subordinate to permitted principal uses and structures are allowable. These include but are not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this part:

- 1) Greenhouses, garden sheds, private garages, and similar accessory structures.
- 2) Devices for the generation of energy, such as solar panels, when not visible from public right of way(s).
- 3) Such accessory structures shall be unattached and located to the rear of the principal structure and not within any required side or rear yard setback.
- 4) Home occupations.
- 5) Satellite dishes may not be visible from the public right of way.
- 6) Swimming pools and similar active recreation facilities are permitted subject to the following limitations:
- 7) Such active recreation facilities in any yard, required or other, adjacent to a street shall require a special exception from the Atlanta Urban Design Commission, which special exception shall be granted only upon finding that:
  - a) The location will not be objectionable to occupants of neighboring property, or the neighborhood in general, by reason of noise, lights, or concentrations of persons or vehicular traffic, and the applicant shall contact the adjoining neighbors about the special exception and provide written letters to the AUDC from the adjoining neighbors regarding the propriety of the special exception.
  - b) The area for such activity could not reasonably be located elsewhere on the lot.
  - c) The Atlanta Urban Design Commission may condition any special exception for such facilities based on concerns regarding fencing, screening, or other buffering, existence and/or location of lighting, hours of use, and such other matters as are reasonably required to ameliorate any potential negative impacts of the proposed facility on adjoining property owners.

*Minimum lot requirements.*

- 1) The compatibility rule shall apply to all front, rear, and side yard setbacks.
- 2) A sidewalk setback is required on all sides of a yard bordering a street.

*Maximum building height and width.*

The compatibility rule shall apply with variance of up to 10 percent permitted.

*Fencing and walls.*

- 1) Fencing in front of a structure is subject to design review by the AUDC.
- 2) Front yard closure walls, such as in block, brick, or wood, are not permitted.
- 3) Fencing shall be no more than 50 percent solids in yards facing a street.
- 4) Fencing and fencing/retaining walls in combination shall be no taller than four (4) feet in the front and corner yards and no taller than six (6) feet in the rear and side yards.



- 5) Variances for the height of fencing may be granted by the AUDC based on previously existing walls or lot topography.
- 6) Fencing must include buffering.

*Driveways.*

Total surface paving for driveways shall not be allowed. If poured cement is desired, it shall be used only as ribbons.

*Building facades.*

- 1) All new buildings shall conform to general facade characteristics by having sidewalks, front yard, porch, and front doors facing and parallel to street.
- 2) The general facade organization and proportions shall be subject to the compatibility rule and compatible with subarea 3 housing on the block as illustrated in the Cabbagetown Design Guidelines.

*Floor area ratio.*

The floor area ratio on any lot shall not exceed 0.50.

*Elements.*

- 1) *All building elements must be compatible with subarea 3 housing on the block as illustrated in the Cabbagetown Design Guidelines.*
- 2) Windows shall be predominantly vertical in proportion, and shall not be constructed in combination of more than two (2) units and shall meet the compatibility rule in organization and fenestration patterns.
- 3) Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass or the same as the original.
- 4) Where chimneys are included in new construction, they shall be faced in brick. Existing chimneys shall not be removed if at all possible. Removal of any chimney must be reviewed and approved by the AUDC. If extending the height of chimneys is required, then bricks and mortar color shall be matched to the original as closely as possible. The design of any new chimney, replacement chimney, or chimney extension must be reviewed and approved by the AUDC.
- 5) Skylights and solar panels may not be placed on the front façade of any structure. The placement of flat profile skylights and solar panels on other facades should minimize their ability to be seen from the front façade, and is subject to design review by the AUDC. "Bubble" type skylights are not permitted.
- 6) Trim style, rafter tails, and soffits shall be consistent with the predominant style found on that block.
- 7) Siding shall exhibit a horizontal, clapboard profile. Wood, Masonite, and smooth-surface cementitious siding are acceptable materials. All siding must have no less than a four-inch reveal and no more than a six-inch reveal.
- 8) The compatibility rule shall apply to corner boards, fascia boards, bottom boards, window and door trim, and other like trim.

#### *Roofs.*

- 1) The compatibility rule shall apply to roof form.
- 2) The compatibility rule shall apply to roof pitch but shall not be less than 6:12 in any case.
- 3) Roofing materials shall be asphalt shingles or metal.
- 4) Flat roofs or roofs not visible from any public right of way may use any roof covering that conforms to standard architectural specification.
- 5) Wood shingles or slates are not permitted except through design review by the AUDC.
- 6) Cold-rolled roofing shall not be used except as a temporary cover upon approval by the AUDC.

#### *Dormers.*

- 1) Dormers shall not be permitted on the front facade of cottage housing unless original to the structure.
- 2) A single dormer may be permitted on one secondary elevation per structure if it is placed to minimize its ability to be seen from the public right of way(s).
- 3) The design of all dormers is subject to review by the AUDC.
- 4) Dormers may be either gable or shed design, and must maintain the siding, roof materials, and trim consistent with the main structure.
- 5) Dormers may not engage the ridgeline of the existing roof.
- 6) The front edge of any dormer may not interrupt the primary fascia or soffit line.
- 7) A dormer may not occupy less than 15% nor more than 35% of the total surface area of the roof plane on which it is constructed.

#### *Porches.*

- 1) Front porches shall be required, and the compatibility rule shall apply. Design of front porches shall be subject to design review by the AUDC.
- 2) The compatibility rule shall apply to all porch design and materials. Front porches may be enclosed with recessed screen wire if the main characteristics of a front porch are maintained.
- 3) Porches shall contain balustrades, columns, and other features consistent with porches in that block. For new construction, column size is subject to the compatibility rule.
- 4) Porches and decks shall be permitted on the side and rear of the house if not visible from the street.

#### *Foundations.*

- 1) The compatibility rule shall apply to the required height of first floor above street level. Foundations shall be a minimum of fourteen (14) inches and a maximum of four (4) feet with variances permitted for topography.
- 2) Foundations shall be of continuous concrete, smooth finish stucco, all-brick façade, or brick piers closed with infill walls made of continuous concrete or smooth finish stucco.

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document  
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